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SIPDIS
SENSITIVE

FOR AF/E JTREADWELL, INR/AA FEHRENREICH, AF/PD - STRASSBERGER,
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TAGS: [PGOV](#) [PHUM](#) [KDEM](#) [MCAP](#) [KPAO](#) [TZ](#)

SUBJECT: NEWSPAPER SUSPENSION: GOVERNMENT UNMOVED

REF: DAR ES SALAAM 33

¶1. (SBU) Minister of Information, Sports and Culture George Mkuchika, meeting with Ambassador Lenhardt February 2, defended his 90-day suspension of Swahili weekly "Kulikoni" for publishing "seditious" material (reftel). Mkuchika argued that the suspension was fully in accordance with Tanzanian law. The 1976 Media Law prohibiting "seditious" language authorizes the Minister of Information to decide when to take action against a media organ and what penalty to impose. He said that Kulikoni's reporting that military exams had been leaked violated the 1970 National Security Act, under which only authorized officers are permitted to speak on behalf of the military, and was therefore seditious. Mkuchika said Kulikoni had declined his request to provide the sources of its information for the story and had instead suggested the GOT form its own investigative committee. Mkuchika said he had warned Kulikoni several times prior to the suspension (he did not indicate what other articles had inspired the warnings). Mkuchika said that after he announced the suspension he had met with the editors of Kulikoni, who expressed remorse and said they intended to "start over," which he found satisfactory.

¶2. (SBU) Deflecting blame from himself onto the "outdated" 1976 law, enacted when there were only three media outlets, all government-run, Mkuchika said a new Media Bill is in draft. The new bill would create a new body to hear complaints about the media, removing authority for sanctions from the Ministry of Information. Mkuchika said he expected the bill would be approved in the next (April) parliament session, assuming the Cabinet accepted the draft. He promised the proposed bill would be printed in the major papers to allow public comment. He noted that stakeholders had already given some input.

¶3. (U) Ambassador Lenhardt, who had opened the discussion by emphasizing that the strong relationship between the U.S. and Tanzania enables us to speak frankly, stressed that we would not want the issue of media freedom to be a continuing problem.

¶4. (SBU) Comment: Minister Mkuchika glossed over the considerable opposition aroused to his 2009 effort to revise media legislation, which failed primarily because of the government's intent to severely restrict media ownership. His defense of his own actions is entirely self-serving, since the current Act gives him full latitude not only to decide whether published material is "seditious," but also to determine appropriate sanctions, which could stop far short of suspension. Moreover, he failed to mention that the government already had the option to bring its complaints to the Media Council of Tanzania. End comment.

¶5. (SBU) Representatives of the donor working group on governance issues met with Kulikoni's owner, Reginald Mengi, subsequent to the Ambassador's meeting with Mkuchika. They reported that Mengi asked

that the international community not intervene with the GOT
regarding the suspension.

LENHARDT